

Message Text

CONFIDENTIAL

PAGE 01 STATE 061119
ORIGIN L-03

INFO OCT-01 EUR-12 ISO-00 OES-07 DODE-00 NASA-01 SP-02
PM-05 IO-13 DOE-11 ACDA-12 CIAE-00 INR-10 NSAE-00
SOE-02 SS-15 NRC-05 CEQ-01 TRSE-00 OMB-01 EB-08
H-01 PA-01 NSCE-00 SSO-00 USIE-00 INRE-00 /111 R

DRAFTED BY L/UNA:DPSTEWART;OES/APT/SA:RBEDDINGTON:MCP
APPROVED BY L - MR. MICHEL
NSC - MR. HUBERMAN
OSTP - MR. MORRISSEY
DOD/ISA - CDR. MELANSON
NASA/GC - MR. HOSENBALL
S/P - MR. GATHRIGHT
EUR/CAN - MR. CLEMENT
PM/ISP - MR. MICHAUD
IO/UNP - MR.MACUK

-----041647 092212Z /14

O R 092150Z MAR 78
FM SECSTATE WASHDC
TO AMEMBASSY OTTAWA IMMEDIATE
INFO USMISSION USUN NEW YORK
AMEMBASSY MOSCOW
USMISSION GENEVA

C O N F I D E N T I A L STATE 061119

GENEVA FOR USDEL UN OUTERSPACE LEGAL SUBCOMMITTEE

E.O. 11652: GDS

TAGS:TSPA

SUBJECT: LEGAL ASPECTS OF COSMOS 954: COSTS OF U.S.
ASSISTANCE TO CANADA

REF: USUN 752
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 STATE 061119

1. THE NSC INTERAGENCY WORKING GROUP ON COSMOS 954 HAS RE-
VIEWED THE QUESTION OF INCORPORATING THE EXPENSES OF U.S.
ASSISTANCE TO GOC IN THE PROBABLE CANADIAN CLAIM AGAINST THE
SOVIET UNION UNDER THE 1972 LIABILITY CONVENTION. EMBASSY
OTTAWA IS REQUESTED TO CONVEY THE FOLLOWING POSITION TO THE
GOC PROMPTLY.

2. THE U.S. OFFER OF ASSISTANCE TO THE GOVERNMENT OF CANADA REGARDING THE SEARCH FOR AND RECOVERY OF DEBRIS FROM COSMOS 954 WAS MADE IN THE CONTEXT OF FRIENDSHIP BETWEEN THE TWO GOVERNMENTS AND THEIR PEOPLES AND IN ORDER TO ASSURE THAT ANY HEALTH HAZARD CAUSED BY RADIOACTIVE DEBRIS WOULD BE MINIMIZED. THE OFFER WAS IN NO MANNER CONTINGENT UPON REIMBURSEMENT FOR EXPENSES INCURRED BY THE U.S. OR CONDITIONED UPON INCORPORATION OF THOSE EXPENSES IN ANY CLAIM WHICH MIGHT BE MADE BY CANADA AGAINST THE SOVIET UNION UNDER THE 1972 CONVENTION ON LIABILITY FOR DAMAGE CAUSED BY SPACE OBJECTS.

3. THE USG UNDERSTANDS THAT THE GOVERNMENT OF CANADA INTENDS TO SEEK COMPENSATION FROM THE SOVIET UNION UNDER THE LIABILITY CONVENTION INTER ALIA FOR COSTS ARISING FROM THE SEARCH FOR AND REMOVAL OF DEBRIS FROM COSMOS 954. THE USG BELIEVES THAT THE EXTENT TO WHICH SUCH A CLAIM MAY INCLUDE COSTS RELATED TO THE ASSISTANCE PROVIDED BY THE U.S. IS A MATTER WITHIN THE DISCRETION OF THE GOVERNMENT OF CANADA.

4. THE USG WOULD BE PLEASED TO KNOW AT THE APPROPRIATE TIME THE INTENTIONS OF THE GOVERNMENT OF CANADA WITH RESPECT TO THIS QUESTION AND REMAINS AVAILABLE FOR FURTHER CONSULTATIONS REGARDING THE LEGAL ASPECTS OF THE COSMOS
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 STATE 061119

954 INCIDENT, INCLUDING THE MANNER IN WHICH COSTS RELATED TO U.S. ASSISTANCE, IF CLAIMED, ARE TO BE CHARACTERIZED.

IF THE GOC SHOULD REQUEST, THE USG IS PREPARED TO PROVIDE INFORMATION REGARDING THE COSTS OF ITS ASSISTANCE TO THE GOC.

5. FOR USUN. THE FOREGOING MAY BE USED IN PRIVATE DISCUSSIONS WITH THE CANADIAN MISSION TO THE UN.
VANCE

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: COSTS, TECHNICAL ASSISTANCE, COSMOS 954, SURVEILLANCE SATELLITES
Control Number: n/a
Copy: SINGLE
Draft Date: 09 mar 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978STATE061119
Document Source: CORE
Document Unique ID: 00
Drafter: DPSTEWART;OES/APT/SA:RBEDDINGTON:MCP
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D780106-1095
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780386/aaaacuth.tel
Line Count: 104
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 5e5e4cca-c288-dd11-92da-001cc4696bcc
Office: ORIGIN L
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 78 USUN NEW YORK 752
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 15 jun 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3382523
Secure: OPEN
Status: NATIVE
Subject: LEGAL ASPECTS OF COSMOS 954: COSTS OF U.S. ASSISTANCE TO CANADA
TAGS: TSPA, US, CA
To: OTTAWA
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/5e5e4cca-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014